



University Of Canterbury Students'
Association (Incorporated)
Constitution and Rules

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1. INTRODUCTION

1.1 Name

The name of this society is University of Canterbury Students' Association (Incorporated).

1.2 Interpretation

1.2.1 Where not inconsistent with the context:

“Advisory Board” means the body that is described within schedule 3.

“Association” means “University of Canterbury Students' Association (Incorporated)”.

“Association Solicitor” means “the solicitor appointed pursuant to the Annual General Meeting”.

“Club” means “any club or society affiliated to this Association”.

“Day” means “period of twenty-four (24) hours”.

“EFTS” means “equivalent full-time tertiary student”

“Executive” means “Executive Committee of University of Canterbury Students' Association (Incorporated)”.

“Faculties” means “the faculties of Arts, Science, Engineering, Law, Commerce, Forestry and the faculty of Music and Fine Arts”.

“Forum” means “the Association's Student Forum”.

“Governance Policies” means “the policies as agreed by the Executive of the Association incorporating the Governance, Executive and Management Board Charters as well as the Delegated Authority, Investments and Services Policies and the Code of Ethics”.

“GST” means “Goods and Services Tax”.

“Leave” or **“leave of the meeting”** means “leave granted by a two-thirds majority of those present, or a ruling of the Chair”.

“Member” means “any person who has paid the fee for which s/he is liable providing that their membership has not been terminated”.

“Noticeboard” means “the notice board of the Association as determined by the Executive”.

“Redphone” means the “UCSA electronic newsletter”.

“Student” means “any person who is enrolled under the regulations of University of Canterbury”.

“Student member” means “any person who is a student of University of Canterbury, provided that their membership has not been otherwise terminated”.

“Students' Association building” means the Association's buildings, Ilam Road, Christchurch.

“Term-time” means ‘the first day of lectures in each term through to the last day of lectures in each term, not including any summer school programme’.

“UCSA” means “University of Canterbury Students’ Association, Inc.”

“University” means “University of Canterbury”.

1.2.2 Where the context so requires, words importing the singular member shall include the plural; any specified gender shall include the other and vice versa.

1.3 **Objects**

1.3.1 The first and fundamental object of the association shall be to remain a student owned and governed organisation that represents the student body and organises and co-ordinates services conducive to the welfare and well-being of students of University of Canterbury and to enrich the University student experience and culture by providing representation, services, facilities and phenomenal events. This object shall be known as the primary objective.

1.3.2 The following shall be objects of the Association insofar as they derive from the primary object and shall not derogate from the generality of that object-

- (a) To deal with and control and to represent and to act for the members of the association in all matters in which the members as a body are interested.
- (b) To foster intellectual, sporting, cultural and social life in the University.
- (c) To manage and control the assets of the Association for the use and benefit of current and future members.
- (d) To allocate capital expenditure monies for the acquisition of amenities for the use and benefit of current and future members.
- (e) To raise monies on such terms as the Executive shall approve.
- (f) To hold an on-licence under the Sale of Liquor Act.
- (g) To recognise and act consistently with Te Tiriti O Waitangi/ the Treaty of Waitangi.
- (h) To consider the interests of Te Akatoki in all Association affairs and to acknowledge the relationship between the Association and Te Akatoki.
- (i) To support Fair Trade products on campus.
- (j) To do all such other things as are, or may be, incidental or conducive to the attainment of any or all of the above objects.

1.4 **Registered Office**

1.4.1 The registered office of the Association shall be the Students’ Association building, Ilam Road, Christchurch.

1.5 Membership

1.5.1 Student Membership

- (a) Any student of the University has membership rights, subject only to payment of the fee detailed in clause 6.1.1, unless the rights are waived by the student.
- (b) Student membership continues while a student is enrolled at the University
- (c) Any student waiving rights to membership may at any time re-assume membership rights by application to the Executive.

1.5.2 Honorary Membership

The Executive may elect such persons as they may determine, including such academic staff as shall apply for membership, to be Honorary Members of this Association.

1.5.3 Life Membership

The following persons shall be members for life:

- (a) All former presidents of the Association.
- (b) Such other persons (whether previously members or not) as may, with their consent, be elected as life members by a two-thirds majority vote of members at a General Meeting and a majority of the Executive.

1.5.4 Associate Membership

- (a) The Executive may, with the consent of the individual, grant associate membership to any past member of the Association who is not currently a student member.
- (b) The Executive may, with the consent of the individual or representative body, grant associate membership to any tertiary student. All memberships granted under this clause must be reported to the subsequent AGM by the President.

1.5.5 Cessation of Membership

Membership of the association shall cease in the following circumstances:

- (a) Death of a member.
- (b) Resignation, in the case of any member.
- (c) If the member is no longer enrolled at the University.

1.6 Discipline

1.6.1 The disciplinary powers possessed by the Association shall be exercised by the Executive and shall be:

- (a) Those laid out in the Incorporated Societies Act (1908).
- (b) Such as have been delegated to the Association by the University.



- 1.6.2 The disciplinary powers possessed by the Association shall be exercised by the Returning Officer in accordance with the Electoral Regulations, provided that the Returning Officer can not suspend or terminate membership of the Association as part of those powers.
- 1.6.3 Any person subject to the discipline powers of the Association shall have the right of appeal to the Executive.

2. GENERAL MEETINGS OF THE STUDENT BODY

2.1 General Meetings

- 2.1.1 Subject to the provisions of this Constitution, all resolutions of General Meetings shall be binding on the Association
- 2.1.2 The quorum at General Meetings shall be one hundred and twenty (120) members for all matters, excluding the following matters: (1) passing of the annual accounts; (2) appointment of the Association Solicitor; (3) the appointment of the Association Auditor. These matters will be able to be considered with a reduced quorum of sixty (60) members.
- 2.1.3 Annual or Half Annual General Meetings cannot amend or overturn binding referenda. Special General Meetings may amend or overturn binding referenda.
- 2.1.4 Any motion before a General Meeting can be passed by a simple majority of those members present and voting, except that constitutional amendments and motions to set or amend fees require a two-thirds majority of members present and voting.
- 2.1.5 No substantive motion put at a Special General Meeting shall be deemed carried unless it has been passed with a number of votes equal to, or exceeding, the number of members required for quorum.
- 2.1.6 The President of the Association shall chair all General Meetings. In the event of the President being absent from a General Meeting, the Vice President shall chair the meeting, and if the Vice President is not present such other student members of the Association as the General Meeting may elect.

2.2 Annual and Half Annual General Meetings

- 2.2.1 There shall be an Annual General Meeting each year, which shall be held as soon as practicable after the preparation and audit of the previous years accounts and no later than the third week of the second University term.
- 2.2.2 There shall be a Half Annual General Meeting each year, which shall be held no later than the third week of the third University term.
- 2.2.3 Notice of the Annual and Half Annual General Meeting shall be posted on the Noticeboard at least fourteen (14) days before such meeting, stating the time, date, and place thereof.
- 2.2.4 The Annual General Meeting shall consider:
 - (a) The adoption of the annual audited accounts of the Association.
 - (b) The annual report of the President of the preceding year.
 - (c) Appointment of an Association Auditor.



- (d) Appointment of an Association Solicitor.
 - (e) Constitutional matters, provided at least fourteen (14) days notice of any amendments has been given.
 - (f) Items of general business, provided at least fourteen (14) days notice of any items has been given.
- 2.2.5 The annual audited accounts of the Association shall be made available at least forty-eight (48) hours before the Annual General Meeting.
- 2.2.6 The Half Annual General Meeting shall consider:
- (a) The annual report of the incumbent President.
 - (b) Any business outstanding from the Annual General Meeting.
 - (c) Constitutional matters, provided at least fourteen (14) days notice of any amendments has been given.
 - (d) Items of general business, provided at least fourteen (14) days notice of any items has been given.
- 2.2.7 No member of the Executive shall be called upon to resign at the Annual or Half Annual General Meeting.
- 2.2.8 In the event that a General Meeting with business still to conduct closes due to loss of quorum, it maybe reopened at such a date, time and place as the Executive may decide. It may only deal with the outstanding business.
- 2.2.9 Motions regarding the corrections of obvious spelling mistakes, punctuation or grammatical errors in the Constitution, in so far as the intention of the Constitution is clear in those cases, not be discussed as agenda items at AGMs or half-AGMs, but that these be quietly corrected in future copies of the Constitution, with a record of any corrections kept accessible to students on request, and any current changes distributed at each AGM.
- 2.3 Special General Meetings**
- 2.3.1 The Executive may, and shall following resolution of the Forum, convene a Special General Meeting.
- 2.3.2 The Executive shall, within seven (7) days of the receipt of a requisition in writing, hold a meeting to consider such requisition and call a Special General Meeting, provided that the requisition is signed by a number of students sufficient for quorum.
- 2.3.3 The Special General Meeting shall be called for the second Wednesday during term time after the Executive meeting in question.
- 2.3.4 If the Executive fails to call the Special General Meeting within the required period, the members making the requisition may themselves convene such a meeting.
- 2.3.5 At a Special General Meeting, no business shall be transacted beyond that for which the meeting has been called.

3. STUDENT FORUM

3.1 Representation and Meetings

3.1.1 Membership

Membership of the Forum shall be held by all members of UCSA attending a Forum.

3.1.2 Voting

Except as otherwise provided in this Constitution, business arising in the Forum shall be determined by a simple majority of the members present and voting.

3.1.3 Meetings

- (a) The Vice President of the Association shall chair all meetings except that the Forum may at any time decide to, and in the Vice President's absence shall, elect its own chair.
- (b) Such meetings shall be called
 - (i) by a formal resolution of the Executive, or
 - (ii) by the Vice President, or
 - (iii) by the posting of a requisition signed by a number of members sufficient for quorum and notifying the Chair.

3.1.4 At least seven (7) days notice shall be given.

3.1.5 Notice shall be deemed to be given when notice has been posted on the notice board.

3.1.6 The quorum shall be sixty (60) members of the Association

3.1.7 If any Executive member is absent from three (3) consecutive meetings of the Forum without leave being granted, s/he shall be deemed to have resigned.

3.1.8 Duties of the Chair

- (a) The Vice President shall chair all meetings, except as otherwise provided for in Clause 3.1.3(a).
- (b) The Chair of a meeting shall be responsible for preparing the agenda and giving notice of, and publicising the next meeting
- (c) The Vice President shall be responsible for bringing to the attention of the Forum such matters which the Forum must decide, as provided for in this Constitution.
- (d) The Vice President shall be responsible for the upkeep of the policy book
- (e) The Vice President shall be responsible for bringing any relevant policy determined by the Forum to the attention of the Executive.

3.2 Powers and Obligations

3.2.1 The Forum shall have the following powers:

- (a) It may consider and, if it thinks fit, pass resolutions on any matters raised by the Executive or any member of the Forum.
- (b) Subject to the directions of General Meetings and binding referenda, the Forum may determine matters of policy affecting the Association and may give such recommendations as it may think fit to the Executive regarding the execution of the matters so determined.
- (c) Any policy so determined shall be published in the first available CANTA and records must be kept in the Policy Book.
- (d) It may delegate to a sub-committee any matter for investigation and report.

4. The Executive

4.1 The Officers and the Executive

4.1.1 Officers of the Association

General:

4.1.2 The Officers of the Association shall be the President, the Vice President and the Finance Officer.

4.1.3 The President, Vice President and Finance Officer shall be elected in the year prior to their taking office. The election of the Officers of the Association shall take place in accordance with Schedule 2 of this Constitution.

4.1.4 The term of office for an Officer of the Association shall be from 1 January until 31 December of the same year.

4.1.5 The President-elect in any one-year shall be paid the pro-rate equivalent of the President's salary for any training or official business of the Association as approved by the incumbent Executive provided that she or he carries out his or her duties to the satisfaction of the Executive.

4.1.6 No President or Executive member will be employed as Chief Executive for a minimum of one year after his or her term has ended.

Officer's Responsibilities:

4.1.7 President: The President shall:

- (a) lead and represent the Association in fulfilling its core objects and achieving its goals of advancing the academic, educational, welfare, social, cultural and sporting interests of its members; and
- (b) remain Convener and become Deputy-Chair of the Advisory Board

4.1.8 Vice President: The Vice-President of the Association shall:

- (a) assist and support the President in carrying out the duties and functions of the office of President; and
- (b) act as President and assume all the powers and duties of President in the absence of the President; and
- (c) be responsible for the upkeep of the policy book.

4.1.9 Finance Officer: The Finance Officer shall:

- (a) be responsible for co-ordination and oversight of the legislative requirements, financial performance, commercial interests and development, implementation and monitoring of the strategic and commercial goals of the Association.

Failure of Responsibilities:

4.1.10 In the event of a matter of serious misconduct as defined by the Employment Relations Act (and its amendments) by an Officer of the Association, the Executive will be guided by and take instruction from the Association Solicitor.

4.1.11 In the event the President fails to adhere to the responsibilities of office as set out in this Constitution, the Executive may call for a vote of confidence in the President provided that:

- (a) a vote of confidence in respect of the President may only be called after at least one written and one verbal warning is given; and
- (b) if the vote of confidence is unsuccessful at a Special General Meeting the President must resign immediately from the position. The Vice President of the Association shall then be the Acting President until the vacancy is filled, by means of a by-election in accordance with Schedule 2.

4.1.12 In the event the Vice President fails to adhere to the responsibilities of office as set out in this Constitution; the Executive may call for a vote of confidence in the Vice President, provided that:

- (a) a vote of confidence may only be called after at least one written and one verbal warning is given; and
- (b) if a vote of confidence is unsuccessful at a Special General Meeting the Vice President must resign from the position of Vice President immediately. The vacant office shall be filled by means of a by-election in accordance with Schedule 2.

4.1.13 In the event the Finance Officer fails to adhere to the responsibilities of office as set out in this Constitution, the Executive may call for a vote of confidence in the Finance Officer, provided that:

- (a) a vote of confidence may only be called after at least one written and one verbal warning is given; and
- (b) if a vote of confidence is unsuccessful at a Special General Meeting the Finance Officer must resign from the position of Finance Officer immediately. The vacant office shall be filled by means of a by-election in accordance with Schedule 2.

4.2 The Executive

4.2.1 The Executive of the Association shall consist of:

- (a) President
- (b) Vice President
- (c) Finance Officer
- (d) College of Arts Representative
- (e) College of Business and Economics Representative
- (f) College of Education Representative
- (g) College of Engineering Representative
- (h) College of Science Representative
- (i) School of Law Representative
- (j) Post Graduate Students Representative
- (k) Clubs and Societies Representative
- (l) One (1) General Executive position whose duties shall be determined by their fellow executive members based upon their assessment of the needs of the Association.

4.2.2 In that period between his/her election and taking of office, if the President-elect is not a member of the Executive then s/he shall be a non-voting member of the Executive.

4.2.3 The Executive shall be elected annually in accordance with the Electoral Regulations of this Constitution. It will take office on 1 January of each year, at which date the Executive of the previous year will resign.

4.2.4 The Executive, or any members thereof, shall resign when called upon to do so by a two-thirds majority of a Special General Meeting called for the purpose. Any such motion requires notice of motion to be given at least seven (7) days before the Special General Meeting. Notwithstanding anything in this Constitution, the person who is the subject of a motion of No Confidence shall be given the right to answer all charges and to speak last on such resolution and for a period of up to fifteen (15) minutes without interruption from the floor.

4.2.5 Any member of the Executive may resign by writing to the President stating that they have done so. The resignation is immediate. No written resignation shall be declined.

4.2.6 In the event of the entire Executive being called upon to resign by a Special General Meeting, the responsibilities of the Executive shall be delegated to a caretaker Governance Board as described in the Governance Policies which will be disbanded once a quorum for the Executive is re-established.

4.2.7 Every member of the Executive, except the incumbent President, must be a student during his/her term of office.

4.2.8 Any member of the Executive shall be deemed to have resigned if they are:

- (a) an undischarged bankrupt and/or

- (b) prohibited from managing companies
- (c) no longer a student member – with the exception of the President.

4.2.9 Payment

- (a) Each member of the Executive, except the Officers of the Association, shall receive a payment, as prescribed below.
- (b) The annual payment shall be no more than \$4235 in 2009.
- (c) In subsequent years to 2009 Executive payment shall be adjusted by the Consumer Price Index.
- (d) The President's salary shall be \$41,600 (gross per annum) in 2009 and shall be annually adjusted by the Consumer Price Index in January of each subsequent year.
- (e) The Vice President and Finance Officer shall work twenty hours (20) per week and the salary shall be \$17,680 (gross per annum) each in 2009 and shall be annually adjusted by the Consumer Price Index in January of each subsequent year.

4.2.10 No act or proceeding of the Executive, or of any committee thereof, or of any person acting as a member of the said Executive, or of any committee, shall be invalidated in consequence of there being a vacancy in the number of the said Executive or committee at the time of the act or proceeding, or of the subsequent discovery that there was some defect in the appointment or election of any person so acting, or that s/he was incapable of being or had ceased to be such a member.

4.3 Powers

4.3.1 The Executive, subject to the powers under this Constitution, resolutions of a General Meeting, binding referenda, and the Incorporated Societies Act 1908 (and its amendments), may do all things deemed by it to be necessary or expedient for the fulfilment of the objects of the Association.

4.3.2 The Executive shall oversee all associated bodies, committees and Officers of the Association and may direct such bodies, committees or Officers regarding performance of their duties and may choose to override such bodies, committees or Officers and perform their duties or functions as it sees fit except as referred to in Clause 4.3.1 above.

4.3.3 The Executive may appoint and remove agents, delegates and committees and may delegate to them either generally or for particular purpose or time, the full powers or part of the powers of the Executive in relation to any matter and may withdraw these delegations when it sees fit, provided that:

- (a) all such delegated powers must be recorded in a motion in the minutes of the Executive; and
- (b) the minutes must record all the details of such delegation, including to whom the power or powers are delegated, for what purpose and for how long.
- (c) such actions are not at odds with the objects of this Constitution or the applicable laws and statutes of New Zealand.

4.3.4 Where it is that the General Election has taken place and the incoming Officers and Executive have been confirmed and in order to take into account the incoming

Executive's priorities, the incumbent Executive and Management must endeavour to understand and duly consider the platforms and policies of the incoming Executive. This understanding and consideration may include but is not limited to the following:

- i. Visibility and explanation to the incoming Executive of the current financial position of the Association.
 - ii. Visibility and explanation to the incoming Executive of the current annual plan and its rationale.
 - iii. Explanation by the incoming Executive to the incumbent Executive and Management of its priorities.
 - iv. Input by the incoming Executive to the setting of the annual plan and subsequent budget setting process.
 - v. Continued and ongoing consultation by Management and the incumbent Executive with the incoming Executive in the development of the annual plan.
- 4.3.5 The Executive shall control the funds of the Association in accordance with the provisions of this Constitution below and authorises all expenditure and may borrow funds from such organisations as it sees fit.
- 4.3.6 All resolutions of the Executive and all acts done will be binding on the members of the Executive whether present at any such meeting or not and upon all the property and assets of the Association unless overruled by a resolution of a General Meeting or contrary to this Constitution.
- 4.3.7 The Executive shall have power to interpret this Constitution and its decisions shall be binding on all members of the Association provided that on any question of interpretation an aggrieved party may appeal to the Association Solicitor, whose ruling shall be final and binding on all members of the Association.
- 4.3.8 Where any time or date is prescribed by this Constitution within which act or thing is done or performed, the Executive shall have the power to enlarge or abridge that time or date on such terms, if any, as the justice of the case may require.

4.4 **Vacancies on the Executive**

- 4.4.1 **Presidential and Vice Presidential Vacancies**
- (a) In the event of the office of President becoming vacant, the Vice President shall assume such office until a by-election can be held to fill it.
 - (b) In the event of the offices of President and Vice President being vacant, the Executive shall appoint from amongst its members an Acting President, who shall continue in office until a new President is elected.
 - (c) In the event of the office of Vice President becoming vacant, the Executive shall appoint from among its members an Acting Vice President, who shall continue in office until a new Vice President is elected.
- 4.4.2 In the event of a non-Presidential vacancy on the Executive, the Executive may call for a by-election to be held in accordance with Schedule 2.
- 4.4.3 In the event of there being more than one vacancy on the Executive, a by-election shall be held in accordance with Schedule 2.

- 4.4.4 In the event of the entire Executive being called upon to resign by a Special General Meeting, the Executive shall continue in office until such time as a new Executive is selected in accordance with Schedule 2.

4.5 **Meetings of the Executive**

- 4.5.1 Meetings of the Executive are to be held at least twelve (12) times a year.
- 4.5.2 At all term-time meetings two-thirds of a full Executive shall be quorum, and that outside term-time half of a full Executive shall be quorum.
- 4.5.3 Calling of Meetings -
- (a) A meeting of the Executive may be called by any member of the Executive. The President shall give twenty-four (24) hours of notice of the meeting to all Executive members.
 - (b) The President shall give the same notice to non-Executive members of the Association by means of the Noticeboard.
 - (c) With the consent of a number of members of the Executive not less than a quorum, a meeting may be called with less than twenty-four (24) hours notice. Notice of such a meeting shall immediately be posted on the Noticeboard.

4.6 **Attendance**

- 4.6.1 Every member of the Association shall be entitled to attend any Executive meeting and may be given speaking rights upon the resolution of the Executive.
- 4.6.2 Any member or club of the Association entitled to bring business before the Executive shall give the President of the Association notice in writing, stating the issue(s) and whether they wish to address the Executive, at least 7 days before the meeting.
- 4.6.3 Any member or club of the Association desiring to bring special business before the Executive shall do so by means of a deputation, provided that 4 days notice be given to the President of the Association.

4.7 **Policy**

- 4.7.1 Association: The members of the Association shall set policies regarding the position of the Association on matters external to the Association.
- 4.7.2 Executive: The Executive shall set Policies regarding matters of business, activities and operations of the Association and any other matters internal to the Association.
- 4.7.3 Documentation of Policy: Each Policy shall:
- (a) be determined by the Executive or Association;
 - (b) be recorded in writing;
 - (c) be subject to 5 working days notice for the setting, rescinding or amending of Policies and that notice must include the proposed Policy or change of Policy;
 - (d) be set, rescinded or amended by resolution of the Executive or Association (as the case may be), except in the absence of notice where Policy will be set, rescinded or amended by unanimous resolution;

- (e) be compatible with or consistent with the terms of this Constitution; and
- (f) if breached, be drawn to the attention of the next meeting of the body which set the Policy by any member of the Executive or the Association (as the case may be) who is aware of the breach.

4.8 **Committees**

- 4.8.1 The following committees as defined in the Schedules or established by the Executive shall be responsible to the Executive:
 - (a) the Advisory Board; and
 - (b) Such other committees as may from time to time be set up by the Executive.
- 4.8.2 If the Executive so resolves, any individuals appointed by the Executive on any such committee may be required to resign, and shall thenceforth be deemed to have resigned.
- 4.8.3 All members of the Executive shall have the right to attend as observers any meetings of any committee of, or responsible to, the Executive or Forum.

5. **CLUBS AND SOCIETIES**

5.1 **Affiliated Bodies: Application for Affiliation:**

- 5.1.1 Any club or society made up of a majority of student members of the Association may apply to the Executive to be affiliated to the Association on an annual basis.
- 5.1.2 The Executive shall decide whether to approve any application from any club or society to affiliate in its sole discretion provided that it has considered:
 - (a) the Association's investment in affiliating any club, society or other body, whether financial or otherwise, which benefits Association members;
 - (b) that such club or society does not pose a risk, whether financial or otherwise to the Association; and
 - (c) the activities of such club or society are consistent with the objects of the Association contained in this Constitution.
 - (d) whether a club with similar objectives is already or has been affiliated within the previous 12 months
- 5.1.3 Affiliated clubs and societies may choose whether to be incorporated as a society and shall conduct their ordinary business with their own constitution and rules.

5.2 **Membership of Clubs and Societies**

- 5.2.1 Any member of the Students' Association shall be eligible to belong to any affiliated club or society upon payment of a subscription for each club, which shall be the same for all aforesaid members, except that no subscription is payable for Honorary or Life Members of that club.

- 5.2.2 Notwithstanding any of the provisions in this clause, affiliation may be granted on request to clubs:
- (a) in which the club concerned is subject to stipulation from another organisation in which it is affiliated where such stipulation renders an open membership policy impossible, or
 - (b) in which the purposes of the club would be defeated by an open membership clause.
- 5.2.3 If the club or society is not separately incorporated, annual subscriptions shall be paid to the Treasurer of the club or society concerned, and shall be paid by him/her into the club account or, with the approval of the Executive, into another account.

6. FINANCE

6.1 Fees

6.1.1 Student Members Fees

There shall be no fee for student membership.

6.1.2 Honorary and Life members shall pay no fees.

6.1.3 Associate members shall pay a fee as determined by the Executive.

6.2 Finances

6.2.1 Capital Expenditure

- (a) A sum equal to forty (40) per cent of the total amount received from members fee shall be allocated towards capital expenditure.
- (b) All money allocated for capital expenditure shall require a resolution carried by two-thirds majority of the eligible members of the Executive. Out of term-time where fewer than two-thirds of the current Executive are able to attend the meeting considering the capital expenditure, voting by conference call shall be acceptable to achieve the required number of votes to pass the resolution. All other finance affairs shall require a simple majority vote of the Executive.
- (c) In considering any application involving the Association underwriting, guaranteeing a loan, the Executive shall consider the financial resources of the applicants in respect of guaranteed repayments and the advice of the Association's Accountant and Solicitors.

6.2.2 Subject to the provisions of the preceding section, the Executive shall have the power to acquire and dispose of properties, to expend and invest monies in securities authorised by law for the investment of trust funds in New Zealand, and in any debentures or shares or stock units issued by any company carrying on business in New Zealand (provided that any investment in such bills shall not exceed two-thirds of the funds then held), to open bank accounts, to enter into contracts, and to borrow or raise money on loan or otherwise, and to give such security for the repayment thereof over the property, funds and effects of the Association as it shall think fit.

6.2.3 All contracts in writing and documents dealing with property and/or securities shall be signed on behalf of the Association by the President and Finance Officer of the Association.

6.2.4 Banking

(a) The Association shall have at least one bank account into which all monies received by the Association shall be placed.

(b) Cheques shall be signed by two of the following:

(i) the President

(ii) the Finance Officer

(iii) the Chief Executive of the Association

(iv) cheque signatories duly appointed by the Executive.

6.2.5 Grants

a) In respect to clubs and societies, applications for annual grants must be made in accordance with the requirements of the respective grant being applied. The Executive, or its delegate, will consider all such applications and make such grants as it sees fit, provided that no such grant shall be made to any club unless that club has provided such of the following as are relevant:

(i) a Balance Sheet and Income and Expenditure Account for the previous year

(ii) a copy of the previous year's Annual Report

(iii) a detailed estimate of expenditure for the current year, together with a statement of estimated revenues

(iv) an agenda of intended activities for the current year

(v) any other information required by the Executive

6.2.6 All clubs, before undertaking any important engagement or incurring any substantial liability, shall obtain the approval of the Executive

6.2.7 The financial year of the Association shall end on 31 December. All clubs shall endeavour, by 30 April, present to the Executive accounts which are of no more than four months standing.

6.2.8 The Executive may, at its discretion, make further grants to its members, to either individuals or clubs, imposing such conditions and requiring such information as it sees fit.

6.3 Charitable Status

6.3.1 Any income, benefit, or advantages of any kind whatsoever shall be applied to the charitable purpose and objects of the Association.

6.3.2 No member or any person associated with a member shall participate in or materially influence any decision made by the Association in respect of the payment to or on

behalf of that member or associated person of any income, benefit or advantage of any kind whatsoever.

6.3.3 Any income, benefit or advantage of any kind paid to the President and the Executive shall be reasonable and relative to that which would be paid in an arms length arrangement, being at market value.

6.3.4 The provision and effect of this clause shall not be removed from the Constitution and shall be included and implied in any document replacing this Constitution

6.4 **Annual Audit**

6.4.1 The financial accounts of the Association shall be audited each year by the Association Auditor who shall be a member of the New Zealand Society of Chartered Accountants.

7. **MISCELLANEOUS**

7.1 **Publications**

7.1.1 There shall be a periodical published by the Association entitled CANTA which shall be the official journal of the Association.

7.1.2 CANTA's shall be editorially independent from the Executive excluding the provisions of any Publications Charter

7.1.3 The editor(s) shall be appointed by the Publications manager, in consultation with the President and the President elect

7.2 **Common Seal**

7.2.1 The Common Seal of the Students' Association shall be in the custody of the Finance Officer, or such other persons as the Executive may appoint, and shall not be affixed to any document except pursuant to a resolution of the Executive, or by the authority of a committee consisting of the President, Finance Officer and one other Executive member, acting in accordance with an authority for the purpose conferred on it by the Executive.

7.3 **Referenda**

7.3.1 The Executive may, and shall on the receipt of a requisition in writing signed by a number of members equalling, or exceeding, the minimum required for a binding referendum, hold a poll amongst the members of the Association.

7.3.2 Within thirty (30) days from the receipt of the requisition, the Executive shall hold the poll, and if it does not do so, the members taking the requisition may themselves hold the poll at the expense of the Association.

7.3.3 The wording of the poll shall be determined by the Executive, unless the poll has been called under the provision of (2) above where the members making the requisition shall determine the wording. In either case, the wording shall be substantially in accord with the requisition.



- 7.3.4 A total of at least four hundred (400) valid votes are required to be cast for a referendum to be binding and the result may only be revoked by a subsequent referendum or Special General Meeting.

7.4 **Meetings**

- 7.4.1 Notwithstanding anything contained in 1.2 or elsewhere in this Constitution, in this, "member" shall mean "person entitled to vote at the meeting".
- 7.4.2 Only members present at the time of the vote are entitled to vote.
- 7.4.3 At all meetings, each eligible member of that body shall exercise one (1) vote only, provided that the chair shall possess both a deliberative and a casting vote.
- 7.4.4 Except as otherwise provided in this Constitution, the quorum for all meetings of any body of the Association shall be fifty (50) percent of the eligible members.
- 7.4.5 Except as otherwise provided in this Constitution, seven (7) days notice of all meetings shall be posted on the Noticeboard
- 7.4.6 Due notice of motion shall be required for any substantive motion at any meeting held under Parts 2 to 3 inclusive.
- 7.4.7 Due notice of the motion shall be posted on the Noticeboard seven (7) days in advance, provided that due notice for the Annual General Meetings shall require fourteen (14) days.
- 7.4.8 All meetings under Parts 2 to 3 inclusive shall be held at a time during any day of the week which is the most convenient time to the maximum number of students.
- 7.4.9 Any business submitted for any meeting under Parts 2 to 3 inclusive not dealt with by that meeting shall be deemed to have lapsed, and shall not be placed before a subsequent meeting unless submitted anew.

7.5 **Activities**

- 7.5.1 Each year an Orientation shall be held.

7.6 **National Bodies**

- 7.6.1 UCSA shall not join or leave any national body which:
- (a) Requires a period of notice to be served before leaving, and/or
 - (b) Can levy UCSA
- without the question being put to students by way of referenda.

8. CONSTITUTION

8.1 Constitution

- 8.1.1 This constitution shall consist of :
- (a) Clauses 1 to 8 inclusive
 - (b) Schedule 1 - Standing Orders
 - (c) Schedule 2 - Electoral Regulations
 - (d) Schedule 3 – Advisory Board
 - (e) Schedule 4 - Electoral Appeals Committee
- 8.1.2 Alterations shall only be made to the UCSA Constitution at a General Meeting with a two-thirds majority of those members present and voting. All amendments are subject to final approval by the Association Solicitor for the purpose of ensuring that no amendments are at odds with the objects of this Constitution, or binding referenda, or the applicable laws and statues of New Zealand.
- 8.1.3 Alterations to the level of fees of student members shall be subject to the approval of the University Council. For all other sections, however, the decision of the General Meeting shall be final.
- 8.1.4 The Executive shall have power to interpret the Constitution and its decisions shall be binding on all members of this Association, provided that on any question of interpretation, and notwithstanding anything in this Constitution, a person or group aggrieved by such an interpretation may appeal to the Association Solicitor, whose ruling shall be final and binding on all members. The cost of any appeal to the Association Solicitor shall be borne by the Association except when the appeal is ruled vexatious by a General Meeting of the Association, when the cost shall be borne by the appellent.
- 8.1.5 Where any time or date is prescribed by this constitution within which any act or thing is to be done or performed, the Executive shall have the power to enlarge or abridge that time or date on such terms, if any, as the justice of the case may require.
- 8.1.6 Printed copies of the Constitution shall be kept by the President, who shall make them available to the Vice-Chancellor of the University and any members of the association on request.
- 8.1.7 Copies of every alteration, addition or amendment to this Constitution shall forthwith be delivered to the Registrar of Incorporated Societies in accordance with the requirements of the Incorporated Societies Act 1908.

8.2 Winding Up

- 8.2.1 In the event of the winding up of the Association under the provisions of Section 24 of the Incorporated Societies Act 1908, all the real and personal property of the Association, after payment of all costs, debts and liabilities, shall vest in the University upon trust for the benefit of students of University of Canterbury, to be applied therefore in such a manner as the Council of the University in its absolute discretion may see fit.



Schedule 1 - Standing Orders

1. The Chair
 - 1.1 The chair shall be heard without interruption.
 - 1.2 At any time during the meeting, any member may, at the request of the Chair, or any person for the time being in the Chair, take the Chair temporarily.
 - 1.3 Should the Chair decide to take part in the debate, s/he shall upon another member to become Acting Chair.
 - 1.4 Should the chair be vacant, a member may assume the chair.
 - 1.5 Every member desiring to speak shall address himself/herself to the Chair.
 - 1.6 When two or more members desire to speak, the Chair shall call upon the member who, in the Chair's opinion, first indicated his/her desire to speak.
2. Motions
 - 2.1 When a motion has been made and seconded, the question thereupon shall be proposed to the meeting by the Chair. Seconding may be either firm or pro forma seconding. A pro forma seconding may be withdrawn, a firm seconding only with the leave of the meeting. A firm seconding shall be required for a motion which cannot be discussed by the meeting. A motion from the Chair shall not require to be seconded. A motion of which due notice has been given shall not require to be seconded.
 - 2.2 Any motion not seconded may not be further debated but shall forthwith be dropped and no entry thereof shall be made in the minutes.
 - 2.3 After a motion has been accepted by the Chair, it shall be deemed to be in the possession of the meeting and cannot be withdrawn without leave of the meeting.
 - 2.4 A motion which by leave of the meeting has been withdrawn may be made again during the same meeting.
 - 2.5 A motion or amendment may not be proposed which is the same in substance as any question which, during the same meeting, has been resolved in the affirmative or negative.
 - 2.6 A matter which has been resolved by the meeting may be recommitted or rescinded by a majority vote of the meeting.
 - 2.7 A motion may be amended by the mover with the consent of the seconder.
 - 2.8 A motion shall be decided by voices, provided that a show of hands may be requested by any member of the meeting, and provided that a secret ballot shall be taken when demanded by a member.
 - 2.9 Upon the motion being put and the voting declared even, the Chair shall use his/her casting vote.
 - 2.10 Except as otherwise provided in this Constitution, a motion shall be determined by a simple majority of those present and voting.
 - 2.11 All motions shall be sequentially numbered. All motions accepted by the Chair and/or put to the meeting shall be recorded in the minutes, save those resolved while the



meeting was in strict committee or committee of the whole: these motions may be recorded in the open minutes at the discretion of the meeting.”

3. Amendments

- 3.1 When a motion has been seconded and the question has been accepted by the Chair for discussion, an amendment may be made by any member.
- 3.2 No further amendment may be made until the first amendment has been disposed of.
- 3.3 If an amendment be carried, it shall become and shall be stated from the Chair as a substantive motion.
- 3.4 No amendment shall be accepted by the Chair which is a direct negation of the motion under discussion.
- 3.5 The mover of an original motion or of an amendment shall have the right of reply before the original motion or the amendment respectively is put.

4. Procedural Motions

- 4.1 The following motions shall be considered procedural motions.
 - (i) That someone be granted speaking rights.
 - (ii) That the meeting elect a new chair.
 - (iii) Motions to alter the agenda.
- 4.2 A debate of a particular matter may be interrupted owing to a formal motion being proposed.
 - (a) The previous question shall be moved in the form “That the question be now put” and shall be seconded. It may be discussed and confers no right of reply. If ‘the previous question’ is carried, the principal motion cannot be brought forward at the same meeting. The Chair may accept or reject ‘the previous question’.
 - (b) The closure shall be moved in the form “That the question be now put”. Discussion, amendment or adjournment shall not be allowed, and it may be applied to an amendment as well as to a motion. The Chair shall have discretion whether to accept it or not. The motion shall require a seconder and shall not be moved by a person who has moved or seconded the principal motion, but it may be moved while another is speaking. The Chair may accept or reject closure.
 - (c) Proceed to the next business. This motion shall not be moved while another person is speaking, and it shall not be moved or seconded by the mover or seconder of the original motion or amendment. It shall not be debated or amended, but if carried it terminates discussion on the principal motion of that meeting. Discussion on the principal motion is to be resumed if it is moved on an amendment.
 - (d) Adjournment of debate. Adjournment may be to a definite date or indefinitely, and the particular motion is adjourned but the meeting shall continue. The meeting can only be moved at the conclusion of a speech, and it cannot be moved or seconded by the mover or seconder of the principal motion, but previous speakers may speak to it. Amendments as to time, date and place of the adjourned debate are the only amendments permissible. The mover

has right of reply and the right to re-open the debate on its subsequent resumption. Although at first rejected, a motion to adjourn debate may be moved again at a later stage of the discussion. The business to which the debate relates shall be placed on the agenda paper of the meeting to which it is adjourned. Adjourned business shall have priority of any other except formal business.

- (e) That the question lie on the table. This motion shall only be moved or seconded by someone who has not moved or seconded the original motion. There shall be no right of reply and no amendment shall be allowed. It may be debated and previous speakers may speak to it. It can be carried on any question or amendments. If it is moved and carried on an amendment then the original question must also lie on the table. There shall be a subsequent motion either at the same or a later meeting to take the question from the table.
- (f) That the speaker be no longer heard. This motion must be moved and seconded, and may be accepted or rejected at the Chair's discretion. The motion may be moved while a person is speaking.
- (g) That the Chair's ruling be dissented from. After the motion has been moved and seconded, the Chair shall immediately vacate the Chair. Only the mover and the seconder of the motion, and the previous Chair, shall speak to the motion, and in that order. After they have spoken, the motion shall be put without further debate in the following form:

"That the Chair's ruling be upheld".

If resolved in the affirmative, the Chair will resume the Chair and maintain his/her ruling, if resolved in the negative the Chair will resume the Chair and change the challenged ruling.

4.3 Discussion of procedural motions

- (a) The following motions shall be put without any debate:
 - (i) That the speaker be no longer heard
 - (ii) That the question be now put
 - (iii) That the meeting proceed to the next business
 - (iv) That the Chair's ruling be upheld (noting the provisions of 4.2(g)).
- (b) The Chair shall rule on discussion of any other procedural motions, subject to the right of the meeting to dissent the chair.

4.4 At any time the meeting may resolve itself into a Committee of the Whole, provided that such resolution be supported by a majority of those members present. The meeting in committee may report to the open meeting, which shall forthwith adopt or reject such report or motion to that effect. The proceedings of the Committee of the Whole shall not be reported or recorded.

4.5 At any time the meeting may resolve itself into Strict Committee, provided that such resolution be supported by a two-thirds majority of those members present. If such a motion is carried, all non- members shall be excluded from the meeting. The meeting in committee may report to the open meeting, which shall forthwith adopt or reject such report or motion to that effect. The proceedings of the Strict Committee shall not be reported or recorded. Motions relating to the Committee of the Whole or Strict Committee shall be procedural motions.

5. Points of Order and Information

5.1 Points of Order

Any person at any time may address the Chair on a point of order (ie. breach of constitution or standing orders) but must at once state s/he is taking a point of order and must confine his/her observations to the point of order raised. A point of order should be taken immediately the breach of order occurs. A speaker called to order should be given opportunity to explain and the Chair may give others permission to speak briefly, but new matter must not be debated. The Chair's ruling on a point of order is final, and must not be discussed unless the dissent is moved.

5.2 Points of Clarification

By permission of the Chair, and when no other person is speaking, a person who has already spoken (even if strict order is being followed) may speak briefly in personal explanation of his/her remarks or actions of his/her which may have been queried, but must state concisely the point s/he wishes to explain and must keep to that point. S/He may not interrupt other speakers in order to explain, nor may s/he employ additional arguments.

5.3 Questions

Questions relating to the matter under discussion may be put to the chair, or through the chair to any member, but the chair may disallow any question which s/he thinks should not be put. Speeches must not be interrupted for the purpose of asking questions

6. General

6.1 Quorums

- (a) No meeting shall open unless a quorum is present by not later than fifteen (15) minutes after the advertised starting time.
- (b) A meeting shall adjourn immediately the lack of quorum is disclosed.
- (c) If a meeting falls inquorate in the period between the taking of a vote and the completion of counting, the result of the vote shall be announced and shall not be invalidated.

6.2 Any motion or question of order or procedure not provided for or not fully provided for in the Standing Orders shall be determined by the Chair by a ruling.

6.3 Any of the Standing Orders may be suspended for the time being by resolution, provided that such resolution shall have the concurrence of a two-thirds majority of the members voting thereon. This resolution must be seconded, discussion is permitted with strict order of debate and it may be moved at the any time. Motions to return to the standing orders shall be carried when more than one-third of votes are cast in the affirmative. In any event, suspension of standing orders ceases at the closing of the meeting.

6.4 An announcement by the chair that a meeting is closed or adjourned may be dissented from unless it has been made due to a genuine lack of quorum or resolution of the meeting.

6.5 At the close of all meetings, the meeting shall be considered to have moved out of committee of the whole or strict committee.

Schedule 2 - Electoral Regulations

1. General Procedures for Conducting Elections and Polls

1.1 General

1.1.1 Returning Officer

- (a) The Executive shall appoint a Returning Officer for each election or by-election, who shall be responsible to it for the conduct of those elections and polls governed by this schedule.
- (b) The Returning Officer may appoint Deputy Returning Officers for any election poll. Such Deputy Returning Officers shall have such powers and duties as are assigned to them by the Returning Officer.
- (c) In the case of an election, the Returning Officer shall be responsible for ensuring that the opening and closing of nominations, the identity of the candidates, the date of the election, the location of the polling booths and the times of opening and closing of the polling booths are well publicised.
- (d) In the case of a poll, the Returning Officer shall be responsible for ensuring that the question which is the subject of the poll, the date(s) of the poll, the location of the polling booths and the times of opening and closing of the polling booths are well publicised.
- (e) The Returning officer(s) shall receive an honorarium, the value of which shall be set by the Executive.
- (f) The Returning Officer will submit a budget for each election which must gain Executive approval before any expenditure is made. Budget must include all costs including the aforementioned honorarium and all wages costs incurred.
- (g) The Returning Officer may employ deputies and assistants who will be employed by the UCSA on a fixed term basis on UCSA's standard terms and conditions of employment.

1.2 Polling booths

- (a) Polling booths shall always be opened at the following places during elections and polls:
 - (i) Engineering Concourse
 - (ii) Central Library Foyer
 - (iii) Students' Association Building Foyer
 - (iv) Commerce Foyer
 - (v) Law Foyer

By permission of the Principals of the Halls of Residence, polling booths may be opened at the Halls of Residence during dinner on the first day of an election or poll. Polling booths may be opened at other places at the discretion of the Returning Officer.

- (b) Notice of the places and opening and closing times of the polling booths shall be given to members at least seven (7) days before election day.
- (c) The Returning Officer shall appoint Polling Clerks who shall perform the duties associated with running polling booths during an election or poll.
- (d) In the event the Executive decide to hold an electronic election, that clause 1.2 of the Electoral Regulations regarding the placement of polling booths does not apply.

1.3 Election Practices and Discipline

- (a) No person shall campaign in a way that involves bribery, treating, or impersonation.
- (b) There shall be no campaigning by any person on the day of the election or poll except at a General Meeting or Forum, by permission of the Returning Officer.
- (c) No printed or electronic information concerning any candidate(s) shall be distributed on the election day(s) by or on behalf of the candidates.
- (d) No written, printed, or electronic information concerning any candidate(s) shall be distributed in any other case without the knowledge and approval of the Returning Officer
- (e) No persons save the Returning Officers may speak to persons engaged in voting.
- (f) No person not actually engaged in voting shall be allowed to remain in the polling place except the officials directly concerned with the organisation of the election or poll.
- (h) In the event of a candidate or person acting on behalf of a candidate engaging in one or more of the events proscribed in this schedule, the Returning Officer shall have the power to disqualify the candidate, subject to appeal to the Electoral Appeals Committee.
- (i) In the event of a person engaging in any of the events proscribed in this schedule, or interfering in the election in any other way, the Returning Officer shall exercise the disciplinary powers of the Association that have been delegated to them by the Executive.

1.4 Rolls

- (a) At least seven (7) clear days before election day, a roll of those entitled to vote at that election or poll shall be available for inspection by any student at the Students' Association building office until one (1) clear day before the election or poll.
- (b) The Returning Officer shall amend this roll upon production of evidence deemed by him/her to be sufficient.

1.5 Ballot Boxes

- (a) Ballot boxes are to be kept locked or sealed during voting hours. Immediately before polling begins, the Returning Officer shall check each ballot box is



empty and shall close and lock or seal it and retain the key in his/her possession until voting has ceased.

- (b) All ballot papers shall be destroyed after all appeals have been heard.

2. Notice of Elections and Nominations

- 2.1 The Returning Officer shall give at least twenty one (21) days notice of any election. Such notice shall set a time, date and place where nominations shall close, which shall be at least seven (7) days before the election.
- 2.2 The Returning Officer may, at his/her discretion vary the time, date and place of the closing or reopening of nominations, according to the justice of the case. This shall be subject to subsequent review by the Executive.

3. Candidacy

- 3.1 Each candidate shall signify consent to stand for election by signing a nomination form and shall present proof of his/her membership of the association to the Returning Officer if required by such officer. The nomination form shall also be signed by not fewer than two (2) student members of the Association.
- 3.2 Nomination forms must be in the hands of the Returning Officer by the closing time of nominations.
- 3.3 A person must be a student member of the Association to be nominated as a candidate for Executive. A person may be a candidate for any or all of the positions for which s/he is eligible. A person not eligible to stand for a position will not have his/her name on the ballot paper.
- 3.4 If a person cannot hold a position to which s/he is elected unless s/he resigns from a position already held, s/he shall be deemed to have resigned. If a person cannot hold all of the positions to which s/he is simultaneously elected, s/he shall be deemed to have withdrawn from such elections as s/he shall inform the Returning Officer and shall enable him/her to hold the remaining positions. Such information shall be laid within twenty-four (24) hours after the posting of results, and if it is not, such withdrawals shall be made by the Returning Officer.
- 3.5 As soon as possible after nominations have closed, the Returning Officer shall post on the Noticeboard a list of the nominations. This list, including whatever means the Returning Officer may choose to acquaint the electors with the candidates' policies shall remain on the Noticeboard until voting has closed on election day.
- 3.6 Any nomination not complying with these regulations shall be rejected by the Returning Officer, and notice of refusal shall immediately be posted on the Noticeboard. The Returning Officer shall also inform the nominee in question of the refusal, if he or she can be contacted.
- 3.7 No person may stand for any Executive position if they are:
 - (a) an undischarged bankrupt and/or
 - (b) prohibited from managing companies.
- 3.8 In order for a nomination for the office of President to be valid, the following conditions shall be satisfied:
 - (a) The candidate has not already held the office of President for two (2) or more years.

- (b) The candidate shall deliver to the Returning Officer a signed copy of the UCSA President's Employment Agreement which shall be in the form of UCSA's standard terms and conditions of employment.
 - (c) The candidate shall have been enrolled in a course of study for at least one academic year.
 - 3.9 In order for a nomination for the office of Vice President to be valid the candidate shall deliver to the Returning Officer a signed copy of the UCSA Vice President's Employment Agreement which shall be in the form of the UCSA's standard terms and conditions of employment.
- 4. Voting
 - 4.1 Only student members shall be entitled to vote in elections and polls.
 - 4.2 Voting papers
 - (a) The Returning Officer shall prepare numbered voting papers on which the names of the candidates shall be listed in alphabetical order and provisions made for a vote of no confidence. Where more than one (1) position is being voted for on the same voting paper, the names of the candidates shall be listed under the headings of the various positions to be filled. These positions shall be listed in the following order: President, Vice President and ordinary Executive members.
 - (b) Sample copies of all voting papers for any election shall be posted on the Noticeboard as soon as they become available.
 - (c) Candidates shall only be referred to by surname and initials on the ballot paper, excepting in elections where candidates have the same surname and initials, in which case all candidates shall have their student identification number included.
 - 4.3 There shall be three classes of vote:
 - (a) Ordinary Vote - Any person who is eligible to vote in an election or poll may cast an ordinary vote on production of any other photographic identity card deemed suitable by the Returning Officer.
 - (b) Signatory Vote - Any person who is eligible to vote in an election or poll but is unable to produce a suitable photographic ID may cast a signatory vote by completing and signing the appropriate form at the polling booth, under the supervision of the Polling Clerk and producing some form of signed identification deemed by the Returning Officer to be suitable. The validity of a signatory vote may be subject to later confirmation of the identity of the voter.
 - (c) Special vote – Any person who is eligible to vote in an election or poll, but is prevented from doing so by virtue of absence from University on the day(s) of voting or any other reason acceptable to the Returning Officer, may cast a special vote with the Returning Officer before the time of voting. A special voter may cast his/her vote at such time and place, and under such provisions, as may from time to time be decided by the Returning Officer.
 - 4.4 Voting shall take place according to the instructions issued by the Returning Officer.
 - 4.5 The Returning Officer shall determine votes in the following manner and order:

- (a) The Returning Officer shall compare all rolls from the polling booths to determine that no voter has cast multiple votes and shall count from the rolls the number of those who have voted.
- (b) Should any occurrence of multiple voting be detected the votes shall be extracted and immediately deemed invalid. The names of the multiple voters and their ballot papers shall then be set aside and presented to the Executive for disciplinary action.
- (c) If any paper does not conform with the instructions issued by the Returning Officer under Schedule 2, 4.4 it shall be deemed invalid.
- (d) The Returning Officer shall regard as valid any voting paper on which the intention of the voter is clear.

4.6 Counting of the Votes: With respect to the counting of any votes in any Election:

- (a) Candidates have the right to appoint a scrutiner;
- (b) The Returning Officer will appoint assistants to help count the votes;
- (c) No person may accept such an appointment if they have nominated, seconded, or have stood as a candidate in that Election.
- (d) No person other than the Returning Officer, assistants or the scrutiners shall be present at the counting of the votes.

4.7 Election of Candidates

- (a) The total number of valid votes cast for each candidate shall be ascertained and recorded. The highest polling candidate(s) shall be declared elected, subject to the number of positions to be filled, unless the candidate is not a student member of the Association or failed to poll higher than no confidence; in these cases the candidate shall not be elected.
- (b) Where there is equality of voting a second ballot shall be called immediately and must be completed within a fortnight.
- (c) In the event that a member of the Executive elect decides not to take their place on the Executive before the commencement of their term, the next highest polling candidate shall be declared elected, provided that the candidate is a student member of the Association and that they polled higher than no confidence.

4.8 The Returning Officer shall announce the result(s) of any election or poll within two working days of the closure of voting, by placing the results on the Noticeboard, which shall include the votes cast for each candidate and for no confidence, and the total turnout.

4.9 All elections and polls must be conducted by secret ballot, except that ballot papers shall be numbered by the Returning Officer for the purpose of ensuring fair electoral practise.

5. Disputes

5.1 Appeals

- (a) Any appeal against the Returning Officer's refusal to accept a nomination must be made to the President within two (2) working days of the posting of



the notice of refusal, and be signed by the candidate. The President shall then forward the appeal to the Electoral Appeals Committee.

- (b) Until the Electoral Appeals Committee has rejected the appeal, the candidate shall be deemed eligible.

5.2 Any appeal against the acceptance of a nomination shall be delivered to the President within two (2) working days of the Posting of the list of those persons nominated, and shall be signed by at least ten (10) financial members of the Association.

5.3 Any appeal against:

- (i) the results of an election or poll and/or
- (ii) the disqualification of a candidate by the Returning Officer

shall be delivered to the President not later than two (2) working days after the election result(s) have been announced. The President shall then forward the appeal to the Electoral Appeals Committee.

5.4 Any appeal shall be made in writing, and shall state the grounds of appeal.

5.5 Appeals shall be considered by the Electoral Appeals Committee. In the case of a disputed election, the Electoral Appeals Committee may declare elected the next highest candidate, or declare null and void the result of the election or poll and call for an extraordinary election or poll, or take whatever action it may see fit.

5.6 Both the appellant and the Returning Officer will be invited to appear before the Electoral Appeals Committee.

5.7 All decisions made by the Electoral Appeals Committee shall be referred to the Association Solicitor for approval of their form. The Association Solicitor shall have the power to alter the decision if the justice of the case requires.

5.8 An election or poll shall not be declared invalid by reason of any irregularity in any of the proceedings preliminary to the voting, or by reason of any failure to hold the election or poll at any place appointed for holding the election or poll, or to comply with the directions contained in these Regulations as to the taking of the election or poll or the counting of votes, if it appears to the Association Solicitor, having cognisance of the question, that the election or poll was conducted in accordance with the principles laid down in these Regulations, and that the irregularity, failure or mistake did not affect the result of the election or poll.

6. Election of the Executive

6.1 The President, Vice President and other members of the Executive:

The Returning Officer shall determine the day (or consecutive days) for the election of the President, Vice President and other members of the Executive, subject to the approval of the Executive, which shall be no later than the second to last week in the third term.

6.2 Executive By-Elections

6.2.1 As provided for in this Constitution and these Regulations, the Returning officer shall conduct by-elections to fill vacancies occurring on the Executive.

6.2.2 No extraordinary elections shall take place less than seven (7) days after the calling of nominations.

6.3 Elections by the Forum

- 6.3.1 As provided for in this Constitution and these Regulations, the Returning Officer shall conduct an election to fill any vacancy occurring on the Executive at any time.
- 6.3.2 Such election shall be held at any ordinary or special meeting of the Forum, provided that notice of the meeting shall have stated this.
- 6.3.3 A notice calling for nominations shall be posted on the Noticeboard at least seven (7) days before the election. Such notice shall set a time and a date when nominations shall close, which shall be at least two (2) days before the election and no less than four (4) days after the posting of the notice.
- 6.3.4 The election shall be conducted by a ballot of those student members of the Forum present at the meeting, according to the direction of the Returning Officer.
- 6.3.5 The Returning Officer and a deputy shall act as scrutineers for the ballot, and shall perform such other duties as may be necessary for the conduct of the election.
- 6.3.6 The result of the election shall be determined and announced in accordance with the Electoral Regulations.

Schedule 3 - Advisory Board

- 1.0 Advisory Board
- 1.1 The Advisory Board is responsible for the Associations' commercial and service activities in line with the objects of this Constitution and with the Associations' Strategic Plan.
- 1.2 The Commercial Advisory Board shall consist of up to nine members:
 - (a) The President (convener and the deputy chair)
 - (b) The Vice President
 - (c) The Finance Officer
 - (d) Three (3) external members with relevant commercial and not-for-profit experience and
 - (e) Three (3) external members with relevant not-for-profit and charitable entity experience.
- 1.3 The Chief Executive shall attend, report to and inform the Advisory Board.
- 1.4 The Advisory Board shall meet monthly.
- 1.5 The Chief Executive's report, once approved by the Advisory Board, along with the minutes of the Board meeting and subsequent recommendations shall be put to the Executive for adoption or exclusion.
- 1.6 Of the external members described in clause 1.2 (d) or (e) of this Schedule 3, one shall Chair the Advisory Board. The Chair shall be chosen annually by the President and such choice shall be ratified by the Executive Committee.
- 1.7 In the event the Chair is absent, the President shall be the Chair."

Schedule 4 - Electoral Appeals Committee

1. The Committee shall be known as the Electoral Appeals Committee and will be responsible for the hearing of electoral appeals.
2. Membership
 - (a) The Committee shall consist of one life member and two student members of the Association.
 - (b) Membership of the Committee shall be decided by the Executive by the second week of the first term.
 - (c) The President, Vice President and Executive may not sit on the Committee.
 - (d) The Committee shall have the power to co-opt a member from the academic staff of the Law Faculty.
3. The quorum for the Electoral Appeals Committee shall be three (3).
4. Each member shall possess a deliberative vote only. In the event of the Committee being unable to reach a resolution, the case shall be referred to the Association solicitor.
5. In the event that a member of the Committee declares, or is found to have, an interest that significantly affects their impartiality, the Executive shall remove that member and appoint a replacement.